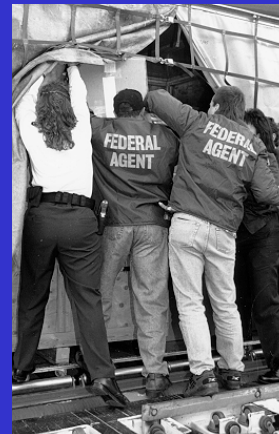


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# Edward G. Holland Senior Special Agent Office of Export Enforcement





# Export Enforcement's Roles

## Protect National Security and Foreign Policy Goals

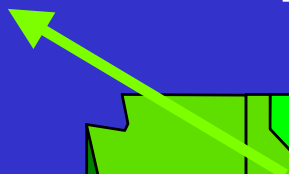
- ◆ Preventative and Detection
- ◆ Investigation and Prosecution
- ◆ Law Enforcement Cooperation



# Office of Export Enforcement Regions

## International Attaches

Moscow      Beijing  
Hong Kong   Singapore  
Egypt  
United Arab Emirates



San Jose



Irvine



Dallas



Chicago



Boston



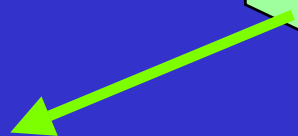
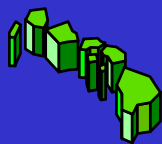
New York



Washington



Ft. Lauderdale





# Case Examples



# Case Example 1: Miami Export Purchasing Corp.



EXPORT PURCHASING CORP

# Miami Export Purchasing Corp.

- Company in the United Arab Emirates ordered pulsed neutron generators through a automobile export company in Miami, Florida. The generators are controlled under ECCN 3A231.
- Miami company applied for a Commerce Department export license.
- Stated end-use was for oil well logging, but model ordered was for lab use.

# Miami Export Purchasing Corp.

- Commerce initiated a pre-license check through our embassy in the UAE.
- U.S. Embassy reported back that the end-user listed on the license did not order the pulsed neutron generators.
- Export Enforcement arrested the Miami man that signed the license application for making false statements and conspiring to violate U.S. export control laws.



# Case example 2: Berkeley Nucleonics Corporation



Berkeley Nucleonics  
Corporation

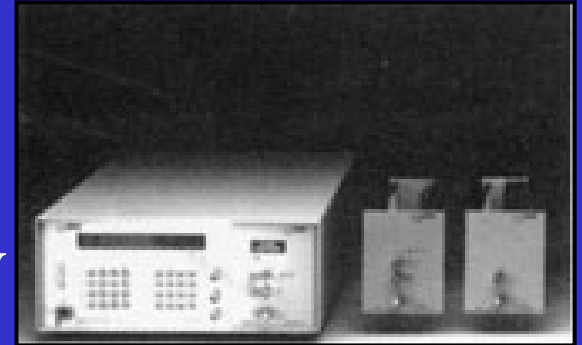


# Berkeley Nucleonics Corp

- The indictment alleges that Berkeley Nucleonics Corporation of San Rafael, California, was indicted August 28, 2001, by a federal grand jury on one count of conspiracy in violation of Title 18, United States Code, Section 371 and six counts of violations of Export Administration Regulations regarding exports to India in violation of Title 50, United States Code,

# Berkeley Nucleonics Corp

Section 1705(b). Berkeley Nucleonics Corporation ("BNC") and three of its employees solicited business for and knowingly exported nuclear pulse generators and related parts to various entities in India without the export license required by the Department of Commerce



# Berkeley Nucleonics Corp

- Both of the entities to which BNC is alleged to have shipped the nuclear pulse generators, Bhaba Atomic Research Center ("BARC") and Nuclear Power Corporation ("NPC"), are divisions of the Government of India's Department of Atomic Energy and—at the time of shipment—were on the Department of Commerce's Entities List.

# Berkeley Nucleonics Corp

- In the same indictment, company president David Brown, marketing director Richard Hamilton were each indicted on one count of conspiracy and one count of violating the Export Administration Regulations. Vincent Delfino, former Operations Manager, was also charged with one count of conspiracy and six counts of violating the Export Administration Regulations.

# Case Example 3

## Omega Engineering Inc.



# Omega Engineering Inc.

- Omega, a Connecticut company, was indicted on charges it illegally shipped measurement equipment—with potential nuclear use—to Pakistan through a German subsidiary after the Department of Commerce denied an export license.
- Company claimed the shipment to Pakistan was separate from the license application and did not require a license.

# Omega Engineering Inc.

- Company also claimed the order was made by an intermediary for a Pakistani university and consisted of items for an introductory science class.
- Company went through every step of the licensing process, including appealing the Intent to Deny letter, appealing the denial, appearing in person at DOC Headquarters, and writing its Congressman.



# Omega Engineering Inc.

- Commerce rejected company's arguments at each stage of process based on risk of diversion to an unsafeguarded nuclear facility.
- Some of company's employees tried to alert senior executives of the employees' concerns about the export.

# Omega Engineering Inc.

- Company's CFO directed that the equipment be shipped.
- Recently Omega pled to an information charging it with a criminal violation of the IEEPA for exporting commodities to Pakistan through its German subsidiary after being denied an export license to ship directly to the end-user.
- This case is ongoing.

# Contact Information

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Call 1-800-424-2980 (24 hours)

or



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